

## **REMARKS**

### **Status of the Claims**

[1] As of the Action, claims 1-3, 5-10 were pending. Claims 1 and 6 have been amended herein.

[2] Claim 1 has been amended to recite that the article is a container that holds food while the food is cooking and that the thermoplastic polymer composition comprises components selected from the group consisting of fillers, reinforcing agents, plasticizers, flame retardants, antioxidants, antiozonants, and lubricants, in amounts conventionally used for such a polymer composition. Support for the amendments arise from the specification at pg. 2:13-15 and pg. 4:14-18. Thus, no new matter has been added.

### **Rejections**

*35 USC 112(2)*

[3] In ¶3 of the Action, the examiner rejected claims 6 and 8 under this provision because they depended directly or ultimately upon a canceled claim. Claim 6 has been amended to depend from claim 1. Applicant requests the withdrawal of this rejection.

*35 U.S.C. 102(b)/35 U.S.C. 102(b)*

*Nagano*

*Nomura*

[4] In ¶6 of the Action, the examiner rejected claims 1-3 and 5-10 under this provision as unpatentable by U.S. Pat. No. 5,976,406 to Nagano *et al.* [Nagano]. In ¶7 of the Action, the examiner rejected claims 1-3 and 5-6 and 9 under this provision as unpatentable by U.S. Pat. No. 5,529,716 to Nomura *et al.* [Nomura].

[5] Amended claim 1 recites an article comprising a thermoplastic polymer composition that comprises components selected from the group consisting of fillers, reinforcing agents, plasticizers, flame retardants, antioxidants, antiozonants, and lubricants, in amounts conventionally used for such a polymer composition and wherein the article is a container that holds food while the food is cooking. Neither cited reference discloses these two elements. For this reason, applicant respectfully requests the withdrawal of the rejections.

[6] In view of the foregoing, applicant respectfully asserts that the claims are in condition for allowance and seeks an allowance of this application at the examiner's earliest opportunity.

Respectfully submitted,

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Dated: 19 Nov 2009